

109TH CONGRESS
1ST SESSION

H. R. 880

To amend part C of title XVIII of the Social Security Act to require Medicare Advantage (MA) organizations to pay for critical access hospital services and rural health clinic services at a rate that is at least 101 percent of the payment rate otherwise applicable under the Medicare Program.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 17, 2005

Mr. KIND (for himself, Mr. OSBORNE, Mr. TAYLOR of Mississippi, Mr. OBERSTAR, Mr. ROSS, Mrs. CHRISTENSEN, Mr. PETERSON of Minnesota, Mr. STUPAK, Mr. KILDEE, Mr. MCHUGH, and Mr. MARSHALL) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend part C of title XVIII of the Social Security Act to require Medicare Advantage (MA) organizations to pay for critical access hospital services and rural health clinic services at a rate that is at least 101 percent of the payment rate otherwise applicable under the Medicare Program.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. MINIMUM PAYMENT RATE BY MEDICARE AD-**
2 **VANTAGE ORGANIZATIONS FOR CRITICAL AC-**
3 **CESS HOSPITAL SERVICES AND RURAL**
4 **HEALTH CLINIC SERVICES.**

5 (a) IN GENERAL.—Section 1857(e) of the Social Se-
6 curity Act (42 U.S.C. 1395w-27(e)) is amended by adding
7 at the end the following:

8 “(4) PAYMENTS FOR INPATIENT AND OUT-
9 PATIENT CRITICAL ACCESS HOSPITAL SERVICES AND
10 RURAL HEALTH CLINIC SERVICES.—A contract
11 under this section with an MA organization for the
12 offering of an MA plan shall require the organiza-
13 tion to provide for a payment rate under the plan
14 for inpatient and outpatient critical access hospital
15 services and for rural health clinic services furnished
16 to enrollees of the plan (whether or not the services
17 are furnished pursuant to an agreement between
18 such organization and a critical access hospital or a
19 rural health clinic) that is not less than 101 percent
20 of the applicable payment rate established for such
21 services under part A or part B.”.

22 (b) EFFECTIVE DATE.—The amendments made by
23 this section shall apply to Medicare Advantage contract
24 years beginning on or after January 1, 2006.

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